



**City of Scottsdale  
Charter Review Task Force**

**MARKED AGENDA**

5:00 p.m., Monday, April 5, 2010  
City Hall Kiva Forum, 3939 N. Drinkwater Blvd., Scottsdale, AZ 85251

**Call to Order / Roll Call - CALLED TO ORDER AT 5:04 P.M. WITH ALL MEMBERS PRESENT**

- 1. Approval of Minutes from the March 15, 2010 Meeting – LISA JOHNSON STONE MOVED APPROVAL OF MINUTES, CINDI EBERHARDT SECONDED. MOTION PASSED 7-0.**
- 2. Public Comment - NONE**
- 3. Discussion and possible action on recommendations to the City Council regarding amendments to the Scottsdale City Charter, including, but not limited to considering additional changes to the following sections:**
  - a. Article 1, Section 3, Subsection O relating to waivers of claims for diminution of value**

**ALAN KAUFMAN MOVED THAT THE TASK FORCE RECOMMEND TO THE CITY COUNCIL THAT ARTICLE 1, SECTION 3, BE AMENDED TO ADD A NEW SUBSECTION O WHICH STATES: "THE CITY SHALL NOT REQUIRE ANY PROPERTY OWNER TO WAIVE ANY CONSTITUTIONAL OR STATUTORY RIGHT TO MAKE A CLAIM FOR DIMINUTION IN FAIR MARKET VALUE OF THE OWNER'S PROPERTY, BUT SUCH A WAIVER MAY BE FREELY, KNOWINGLY AND VOLUNTARILY MADE BY WRITTEN AGREEMENT WITH THE CITY." SUSAN BITTER SMITH SECONDED. MOTION PASSED 7-0.**
  - b. Review of other recommendations**

**JIM DEROUIN MOVED THAT THE TASK FORCE RECOMMEND TO THE CITY COUNCIL THAT THE CITY CHARTER BE AMENDED TO ADD TO THE LAST SENTENCE OF THE THIRD PARAGRAPH OF ARTICLE 4, SECTION 1 "EXCEPT AS OTHERWISE PROVIDED IN ARTICLE 3, SECTION 1," AND TO REMOVE THE WORD "OTHER." SUSAN BITTER SMITH SECONDED. MOTION PASSED UNANIMOUSLY.**

**JIM DEROUIN MOVED THAT THE FOLLOWING LANGUAGE IN ARTICLE 3, SECTION 1 BE DELETED AND NOT RECOMMENDED BY THE TASK FORCE: "ANY OFFICER OF THE CITY MAY WITHIN TEN (10) DAYS FROM THE DATE OF A VOTE OF REMOVAL, REQUEST A PUBLIC HEARING TO BE HELD NOT LATER THAN THIRTY (30) DAYS THEREAFTER." ALAN KAUFMAN SECONDED. MOTION PASSED 5-2 (CINDI EBERHARDT AND CHARLIE SMITH).**

**CHARLIE SMITH MOVED THAT THE FOLLOWING PROPOSED LANGUAGE IN ARTICLE 11, SECTIONS 1 AND 2 BE DELETED AND NOT RECOMMENDED BY THE**

**TASK FORCE: ", AS A SEPARATE JUDICIAL BRANCH OF CITY GOVERNMENT" AND "SHALL EXERCISE ADMINISTRATIVE SUPERVISION OVER THE CITY COURT," CINDI EBERHARDT SECONDED. MOTION PASSED 7-0.**

**ALAN KAUFMAN MOVED THAT THE FOLLOWING PROPOSED LANGUAGE BE ADDED TO ARTICLE 3, SECTION 4, "THE CITY TREASURER SHALL ISSUE MONTHLY PUBLIC FINANCIAL STATEMENTS TO THE COUNCIL WITHIN FIFTEEN (15) BUSINESS DAYS OF THE MONTH END, EXCEPT FOR REPORTS AT FISCAL YEAR END, WHICH SHALL BE PREPARED AS DIRECTED BY THE COUNCIL. THE MONTHLY FINANCIAL STATEMENTS SHALL INCLUDE, BUT NOT BE LIMITED TO, THE ACTUAL, BUDGETED, AND PRIOR YEAR COMPARISONS OF REVENUE AND EXPENDITURES OF EACH OFFICE, DIVISION AND DEPARTMENT, AND ANY ADDITIONAL INFORMATION REQUIRED BY ORDINANCE." CHARLIE SMITH SECONDED. MOTION PASSED 7-0.**

**CHARLIE SMITH MOVED THAT THE FOLLOWING PROPOSED LANGUAGE BE ADDED TO ARTICLE 3, SECTION 2, ", IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 6," ALAN KAUFMAN SECONDED. MOTION PASSED 7-0.**

**CHARLIE SMITH MOVED THAT CITY COUNCIL BE ALLOWED TO WAIVE THE RESIDENCY REQUIREMENT FOR CHARTER OFFICERS. THE MOTION DIED FOR LACK OF A SECOND.**

**IT WAS AGREED TO MERGE QUESTION B5 (REMOVING COUNCIL'S AUTHORITY TO COMBINE DUTIES OF CHARTER OFFICERS) WITH B1. IN ADDITION IT WAS AGREED THAT B2 (REQUIRES CITY MANAGER TO CONSULT WITH TREASURER ON THE PREPARATION OF THE BUDGET) BE CHANGED TO REQUIRE CONSULTATION WITH OTHER CHARTER OFFICERS AND MOVED TO D7.**

**CINDI EBERHARDT MOVED THAT C1 (COUNCIL SALARIES) BE ELIMINATED. CHARLIE SMITH SECONDED. MOTION PASSED 7-0.**

**IT WAS AGREED TO HAVE THREE TIERS, C2 (ADMINISTRATIVE INTERFERENCE) WILL GO TO THE LOWEST TIER, AND C3 (ABILITY OF COUNCIL TO ACT BY MOTION) WILL GO TO THE MIDDLE TIER.**

**IT WAS AGREED THAT TIER C INCLUDES VARIOUS ADMINISTRATIVE CHANGES TO ADD IMPORTANT CLARITY TO THE CHARTER TO BE PLACED ON THE BALLOT AS SPACE PERMITS, AND/OR TO BE ROLLED INTO OTHER CHANGES WHERE CONSISTENT WITH THE CONCEPT BEING PROPOSED**

**4. Discussion and possible action regarding the content and presentation of Task Force recommendations and final report to the City Council.**

**IT WAS AGREED THAT ONCE THE FINAL RECOMMENDATIONS ARE MADE BY THE TASK FORCE, THAT STAFF WILL PREPARE A REPORT FOR THE CITY COUNCIL, SIMILAR TO THE REPORT PREPARED ON THE ELECTION RECOMMENDATIONS; THAT THE DRAFT REPORT WILL BE CIRCULATED AMONG THE TASK FORCE FOR REVIEW, AND IF NEEDED THE REPORT COULD BE AGENDIZED FOR DISCUSSION ON MAY 3, 2010.**

**5. Review, discuss, and possibly amend draft agenda for April 19, 2010 meeting.**

**IT WAS AGREED AT THE STAFF WOULD BRING BACK TWO DOCUMENTS, A DOCUMENT THAT SHOWS WHAT THE WHOLE CHARTER WOULD LOOK LIKE WITH PROPOSED ADDITIONS/DELETIONS, AND A REVISED DOCUMENT THAT SHOWS TIERS A, B, AND C AS DISCUSSED AT TONIGHT'S MEETING.**

**IT WAS ALSO AGREED TO CANCEL THE SCHEDULED MEETING ON APRIL 19, THAT MEMBERS WOULD CHECK THEIR CALENDARS REGARDING A MEETING ON APRIL 20, AND PLACE A HOLD ON A MEETING OF MAY 3, IF NEEDED.**

**Adjournment - ADJOURNED AT 8:12 P.M.**